

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DEL SOLDATO et al.

Atty. Dck. No. 026220-00039

Serial No.: not yet assigned (div. of 09/147,770)

Filed: Herewith

For: NITRIC ESTER DERIVATIVES AND THEIR USE IN URINARY
INCONTINENCE AND OTHER DISEASES

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 17, 2003


Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- ☐ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
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- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ 4. The reference(s) was/were cited by or submitted to the Office in parent application No. 09/147,770, filed April 28, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these references are not attached. 37 CFR § 1.98(d).

Respectfully submitted,



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HJC/ccd

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. 026220-00039	SERIAL NO. DIV of 09/147,770
	APPLICANT Piero DEL SOLDATO et al.	
	FILING DATE herewith	GROUP To be assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	ENT	DOCUM NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
		3,313,848	4-11-67	SCHERRER et al.			
		3,415,834	12-10-68	HOFFMANN et al.			
		3,840,597	10-08-74	MOORE et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO PART.
	1,149,015	5-22-63	DE			X
	95/30641	11-16-95	WO			X

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	FERGUSON, et al., "Urinary Bladder function and Drug Development", <u>Trends in Pharmacological Sciences</u> , 1996, vol. 17, pp. 161-165.
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	FAHRY-RD et al., <u>CIRC-RES.</u> 72/6 (12020-1210) 1983.
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EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	AC								

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		S.I. JANES et al., "Flow Cytometric Detection of Circulating Activated Platelets and Platelet Hyperresponsiveness in Pre-eclampsia and Pregnancy", <u>Clin. Science</u> , vol. 86, pp. 731-739, 1994.
		R. DUBOIS et al., "Increased Cyclooxygenase-2 levels in Carcinogen-induced Rat Colonic tumors", <u>Gastroenterology</u> , vol. 110, pp. 1259-1262.
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	AB						
	AC						
	AD						
	AE						
	AF						

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							YES	NO	PART.
	AG	WO 94/04484	3/1994	WIPO					
	AH								
	AI								
	AJ								
	AK								
	AL								

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	AM	Merck Index, 10 th Edition, Windholz et al., Ed., Merck & Co., Rahway, N.J.
	AN	Morikawa et al., 110CA: 185899
	AO	

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